

ESTTA Tracking number: **ESTTA357007**

Filing date: **07/08/2010**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91166487
Party	Plaintiff Hasbro, Inc.
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Submission	Opposition/Response to Motion
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Signature	/Kim J. Landsman/
Date	07/08/2010
Attachments	Taft Declaration in Opp to Applicant's Motion for SJ.PDF ( 4 pages )(81664 bytes )

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Application Serial No. 78/359,895  
Filed: January 30, 2004  
For the Mark: MEMORY MAGIC in International Class 28  
Published in the Official Gazette: May 10, 2005 at TM 330

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HASBRO, INC.

Opposer,

v.

CREATIVE ACTION LLC,

Applicant.

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Opposition No. 91/166,487

**DECLARATION OF MILLENS J. TAFT, JR.**

I, Millens W. Taft, Jr., declare and state as follows:

1. I was in charge of research and development at Milton Bradley Company ("Milton Bradley") from 1949 until I retired in 1984, which was also the year in which Milton Bradley was acquired by plaintiff Hasbro, Inc. I submit this declaration, based on personal knowledge, in support of Hasbro's motion for a preliminary injunction against defendant MGA Entertainment, Inc. ("MGA").

2. I negotiated the initial agreement with Otto Maier Verlag Ravensburg ("Ravensburg") that granted Milton Bradley the rights to the MEMORY game. My title then was the Senior Vice President, Research and Development. The Ravensburg game was very successful, primarily, we believed, because of the name. We were therefore interested in the game entirely because of its valuable name.

3. When we negotiated and signed the agreement with Ravensburg in 1964, neither I nor, to my knowledge, anyone else at Milton Bradley was aware of any other use, commercial or otherwise, of the MEMORY name for a game. If we had been, we obviously would not have been interested in licensing and paying a royalty for it.

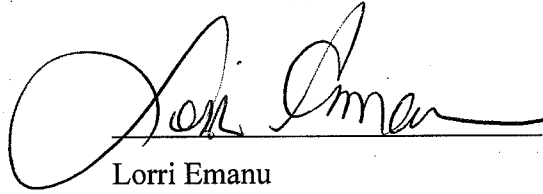
4. I signed the declaration that supported Milton Bradley's application in 1966 for federal registration of the MEMORY trademark. Ravensburg was aware of our application to register the name and of the registration itself, and Ravensburg was supportive of our effort because it understood that the registration benefited that company as the licensor of the mark.

Executed on June 25, 2010, in East Longmeadow, Massachusetts.

Millens W. Taft, Jr.  
Millens W. Taft, Jr.

**Electronic Mailing Certificate**

I hereby certify that the **Declaration of Millens Taft, Jr.** is being submitted electronically through the Electronic System for the Trademark Trial and Appeal Board ("ESTTA") on this 8th day of July, 2010.

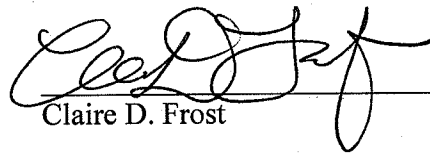
A handwritten signature in black ink, appearing to read "Lorri Emanu", is written over a horizontal line. The signature is fluid and cursive, with a large loop at the beginning and a long, sweeping tail.

Lorri Emanu

**Certificate of Service**

I hereby certify that a copy of the **Declaration of Millens Taft, Jr.** was served by electronic mail on July 8th, 2010, on the following counsel for the Applicant:

Wayne D. Porter, Jr., Esq.  
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Claire D. Frost